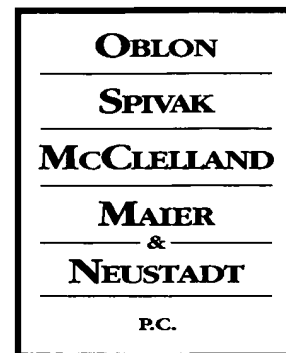




IPW

Docket No.: 247563US6YA



ATTORNEYS AT LAW

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COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/801,571

Applicants: Aelan MOSDEN, et al.

Filing Date: March 17, 2004

For: METHOD AND SYSTEM FOR TREATING A HARD
MASK TO IMPROVE ETCH CHARACTERISTICS

Group Art Unit: 1756

Examiner: Nicole M. BARRECA

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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DOCKET NO: 247563US6YA



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
AELAN MOSDEN, ET AL. : EXAMINER: NICOLE M. BARRECA
SERIAL NO: 10/801,571 :
FILED: MARCH 17, 2004 : GROUP ART UNIT: 1756
FOR: METHOD AND SYSTEM FOR :
TREATING A HARD MASK TO
IMPROVE ETCH CHARACTERISTICS

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement dated June 15, 2005, Applicants provisionally elect with traverse Group I, Claims 1-9 and 21-28, directed to a method.

Applicants traverse the Restriction Requirement for the following reason.

MPEP § 803 states:

MPEP § 803

... If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

However, the outstanding Restriction Requirement has not established that an undue burden would exist if the Restriction Requirement was not issued and all the claims were examined together. Moreover, the claims of the present invention would appear to be part of an overlapping search area. Accordingly, Applicants respectfully traverse the outstanding

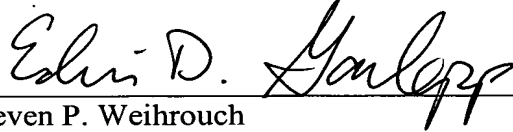
Application No. 10/801,571
Reply to Restriction Requirement of June 15, 2005

Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Accordingly, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 1-28 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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